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6                   UNITED STATES DISTRICT COURT  
7                   EASTERN DISTRICT OF WASHINGTON

8                   STEVEN D. DEVITT,

9                   Plaintiff,

10                  NO. CV-11-5011-CI

11                  vs.

12                  DAVID L. STEVENS, OZZIE  
13                  KNEZOVICH, and ELDON VALE,

14                  Defendants.

15                  ORDER ADOPTING REPORT AND  
16                  RECOMMENDATION AND DISMISSING  
17                  ACTION

18                  Magistrate Judge Imbrogno filed a Report and Recommendation on  
19 April 11, 2011, recommending Mr. Devitt's civil rights action be  
20 dismissed without prejudice for failure to prosecute. There being no  
21 objections, the court **ADOPTS** the Report and Recommendation. This action  
22 is **DISMISSED WITHOUT PREJUDICE**.

23                  IT IS SO ORDERED. The District Court Executive is directed to  
24 enter this Order, forward a copy to Plaintiff at his last known address  
25 and close the file. The Court certifies any appeal of this dismissal  
26 would not be taken in good faith.

27                  DATED this 10<sup>th</sup> day of May 2011.

28                  \_\_\_\_\_  
29                  S/ Edward F. Shea  
30                  EDWARD F. SHEA  
31                  United States District Judge